

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Dante Condeluci
Heather Condeluci
Debtor(s)

Bankruptcy Case No.: 19-24089-GLT
Issued Per 4/15/2021 Proceeding
Chapter: 13
Docket No.: 75 – 54
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 4, 2021 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,461.00 as of May, 2021. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The Trustee's Certificate of Default [Dkt. No. 47] is resolved by the confirmation of this order.

A Fee Application is needed if any fee (including retainer) exceeds \$4,000.00 including any fees paid to prior counsel.

Claim No. 11 of Flagstar Bank to be paid per loan modification order of 3-22-2021 (Docket No. 67) pending loss mitigation resolution.

Exeter Finance is removed from section 3.1 of plan pending resolution of motion for post
petition financing at Docket No. 58 (3-5-2021)

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

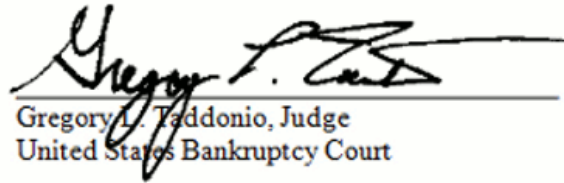
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: April 15, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Dante Condeluci
Heather Condeluci
Debtors

Case No. 19-24089-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Apr 15, 2021

User: dbas
Form ID: 149

Page 1 of 3
Total Noticed: 47

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 17, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Dante Condeluci, Heather Condeluci, 102 Caldwell Street, Mc Kees Rocks, PA 15136-2569
cr	+ TOWNSHIP OF STOWE and STO-ROX SCHOOL DISTRICT, GRB Law, 437 Grant Street 14th Floor, Frick Building, Pittsburgh, PA 15219 UNITED STATES OF AMERICA 15219-6101
15151921	+ ACAR Leasing LTD d/b/a/ GM Financial Leasing, PO Box 183853, Arlington, TX 76096-3853
15163157	+ Ascar Leasing, Po Box 183853, Arlington, TX 76096-3853
15142731	++ BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238 address filed with court:, Bank Of America, Po Box 982238, El Paso, TX 79998
15169631	+ Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
15165634	Carvana, LLC, PO Box 29018 Phoenix AZ 85038
15142734	+ Carvana, LLC, PO Box 29002, Phoenix, AZ 85038-9002
15142735	+ Chrysler Capital, Po Box 961275, Fort Worth, TX 76161-0275
15163158	District Court 05-0-03 440 Ross Street, Suite 5039, Pittsburgh, PA 15219
15163159	+ District Court 05-2-43, 5624 Stuebenville Pike, McKees Rocks, PA 15136-1416
15174982	+ Greensky, LLC/Home Depot Loan Services, 1797 Northeast Expressway, Suite 100, Atlanta, GA 30329-2451
15173916	+ Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
15142740	+ Midland Funding, 320 E Big Beaver Rd Ste, Troy, MI 48083-1238
15142742	+ Phelan, Hallinan, Diamond, & Jones, LLP, 1617 JFK Boulevard, Suite 1400, Attention: Peter Wapner, Esquire, Philadelphia, PA 19103-1814
15151181	+ Pinnacle Service Solutions LLC, 4408 Milestrip Rd #247, Blasdel NY 14219-2553
15163160	+ Santander Consumer USA, P.O.Box 961278, Fort Worth, TX 76161-0278
15183374	+ Township of Stowe and Sto-Rox School District, GRB Law, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building Pittsburgh PA 15219-6101
15169901	UPMC Health Services, PO Box 1123, Minneapolis MN 55440-1123
15169899	UPMC Physician Services, PO Box 1123, Minneapolis MN 55440-1123

TOTAL: 20

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Apr 16 2021 03:48:00	Americredit Financial Services, Inc. Dba GM Finan, Dba GM Financial, P.O Box 183853, Arlington, TX 76096-3853
cr	Email/Text: JCAP_BNC_Notices@jcap.com	Apr 16 2021 03:49:00	Jefferson Capital Systems, LLC, PO Box 7999, St Cloud, MN 56302-9617
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Apr 16 2021 03:29:18	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15282514	Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Apr 16 2021 03:48:00	Americredit Financial Services, Inc., Dba GM Financial, P.O Box 183853, Arlington, TX 76096
15142732	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Apr 16 2021 03:29:29	Best Buy/cbna, Po Box 6497, Sioux Falls, SD 57117-6497
15142733	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Apr 16 2021 03:20:36	Capital One Bank Usa N, 15000 Capital One Dr, Richmond, VA 23238

District/off: 0315-2

User: dbas

Page 2 of 3

Date Rcvd: Apr 15, 2021

Form ID: 149

Total Noticed: 47

15151917	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Apr 16 2021 03:29:04	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15142736	+ Email/Text: electronicbkydocs@nelnet.net	Apr 16 2021 03:49:00	Dept Of Education/neln, Po Box 82561, Lincoln, NE 68501-2561
15176051	+ Email/Text: kbarkley@bernsteinlaw.com	Apr 16 2021 03:49:00	Duquesne Light Company, c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15171394	Email/Text: cashiering-administrationservices@flagstar.com	Apr 16 2021 03:49:00	FLAGSTAR BANK, FSB, 5151 CORPORATE DRIVE, TROY MI 48098
15142737	+ Email/Text: cashiering-administrationservices@flagstar.com	Apr 16 2021 03:49:00	Flagstar Bank, 5151 Corporate Drive, Troy, MI 48098-2639
15142738	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Apr 16 2021 03:48:00	Gm Financial, Po Box 181145, Arlington, TX 76096-1145
15174685	Email/Text: JCAP_BNC_Notices@jcap.com	Apr 16 2021 03:49:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
15175468	Email/PDF: resurgentbknofications@resurgent.com	Apr 16 2021 03:20:53	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15163161	+ Email/Text: bk@lendingclub.com	Apr 16 2021 03:49:00	Lending Club, 71 Stevenson Rd, Suite 300, San Francisco, CA 94105-2985
15171003	+ Email/Text: bankruptcydpt@mcmcg.com	Apr 16 2021 03:48:00	Midland Funding LLC, PO Box 2011, Warren, MI 48090-2011
15142741	+ Email/PDF: cbp@onemainfinancial.com	Apr 16 2021 03:20:26	Onemain Financial, Po Box 1010, Evansville, IN 47706-1010
15168027	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Apr 16 2021 03:37:18	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15142743	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Apr 16 2021 03:20:47	Portfolio Recov Assoc, 150 Corporate Blvd, Norfolk, VA 23502-4952
15172055	Email/Text: bnc-quantum@quantum3group.com	Apr 16 2021 03:48:00	Quantum3 Group LLC as agent for, Velocity Investments LLC, PO Box 788, Kirkland, WA 98083-0788
15142744	+ Email/PDF: gecsed@recoverycorp.com	Apr 16 2021 03:37:02	Synch/bp, C/o Po Box 965024, Orlando, FL 32896-0001
15142745	+ Email/PDF: gecsed@recoverycorp.com	Apr 16 2021 03:20:29	Synch/care Credit, 950 Forrer Blvd, Kettering, OH 45420-1469
15142746	+ Email/PDF: gecsed@recoverycorp.com	Apr 16 2021 03:20:28	Synch/sync Bank Luxury, C/o Po Box 965036, Orlando, FL 32896-0001
15142747	+ Email/PDF: gecsed@recoverycorp.com	Apr 16 2021 03:36:59	Synch/walmart, Po Box 965024, Orlando, FL 32896-5024
15143360	+ Email/PDF: gecsed@recoverycorp.com	Apr 16 2021 03:37:02	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15173785	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Apr 16 2021 03:29:42	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
15142748	+ Email/Text: bnc-bluestem@quantum3group.com	Apr 16 2021 03:49:00	Webbank/fingerhut, 6250 Ridgewood Road, Saint Cloud, MN 56303-0820

TOTAL: 27

BY PASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

District/off: 0315-2

User: dbas

Page 3 of 3

Date Rcvd: Apr 15, 2021

Form ID: 149

Total Noticed: 47

Recip ID	Bypass Reason	Name and Address
cr		FLAGSTAR BANK, FSB
15142739		Idb Bank/grnsky/thd Lo
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15165642	*	Carvana, LLC, PO Box 29018 Phoenix AZ 85038

TOTAL: 2 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 17, 2021

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 15, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor FLAGSTAR BANK FSB bnicholas@kmlawgroup.com
Glenn R. Bartifay	on behalf of Joint Debtor Heather Condeluci gbartifay@bartifaylaw.com sfallat@bartifaylaw.com;gbartifay@yahoo.com;lkarageorgiou@bartifaylaw.com
Glenn R. Bartifay	on behalf of Debtor Dante Condeluci gbartifay@bartifaylaw.com sfallat@bartifaylaw.com;gbartifay@yahoo.com;lkarageorgiou@bartifaylaw.com
Jeffrey R. Hunt	on behalf of Creditor TOWNSHIP OF STOWE and STO-ROX SCHOOL DISTRICT jhunt@grblaw.com cnoroski@grblaw.com
Jerome B. Blank	on behalf of Creditor FLAGSTAR BANK FSB pawb@fedphe.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Maria Miksich	on behalf of Creditor FLAGSTAR BANK FSB mmiksich@kmlawgroup.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com
Thomas Song	on behalf of Creditor FLAGSTAR BANK FSB pawb@fedphe.com

TOTAL: 10